

Whereas Federal and State policies, as well as the Supreme Court, in *Olmstead v. L.C.*, 527 U.S. 581 (1999), assert the right of an individual to live in the home and community of the individual;

Whereas, in 2008, the majority of direct support professionals are employed in home and community-based settings and this trend is projected to increase over the next decade;

Whereas there is a documented critical and growing shortage of direct support professionals in every community throughout the United States; and

Whereas many direct support professionals are forced to leave jobs due to inadequate wages and benefits, creating high turnover and vacancy rates that research demonstrates adversely affects the quality of support to individuals with disabilities: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week beginning September 14, 2009, as “National Direct Support Professionals Recognition Week”;

(2) recognizes the dedication and vital role of direct support professionals in enhancing the lives of individuals with disabilities of all ages;

(3) appreciates the contribution of direct support professionals in supporting the needs that reach beyond the capacities of millions of families in the United States;

(4) commends direct support professionals as integral in supporting the long-term support and services system of the United States; and

(5) finds that the successful implementation of the public policies of the United States depends on the dedication of direct support professionals.

#### SENATE RESOLUTION 229—DESIGNATING THE WEEK BEGINNING AUGUST 30, 2009, AS “NATIONAL HISTORICALLY BLACK COLLEGES AND UNIVERSITIES WEEK”

Mr. GRAHAM (for himself, Mr. ALEXANDER, Mr. BAYH, Mr. BOND, Mrs. BOXER, Mr. BROWN, Mr. BROWNBAC, Mr. BUNNING, Mr. BURR, Mr. BYRD, Mr. CARDIN, Mr. CHAMBLISS, Mr. COBURN, Mr. COCHRAN, Mr. CORKER, Mr. CORNYN, Mr. DEMINT, Mr. DURBIN, Mrs. HAGAN, Mrs. HUTCHISON, Mr. ISAKSON, Mr. KAUFMAN, Ms. LANDRIEU, Mr. LEVIN, Mrs. LINCOLN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Ms. MIKULSKI, Mr. SESSIONS, Mr. SPECTER, Mr. STABENOW, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, and Mr. WICKER) submitted the following resolution; which was considered and agreed to:

S. RES. 229

Whereas there are 103 historically Black colleges and universities in the United States;

Whereas historically Black colleges and universities provide the quality education essential to full participation in a complex, highly technological society;

Whereas historically Black colleges and universities have a rich heritage and have played a prominent role in the history of the United States;

Whereas historically Black colleges and universities allow talented and diverse students, many of whom represent underserved populations, to attain their full potential through higher education; and

Whereas the achievements and goals of historically Black colleges and universities are deserving of national recognition: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week beginning August 30, 2009, as “National Historically Black Colleges and Universities Week”; and

(2) calls on the people of the United States and interested groups to observe the week with appropriate ceremonies, activities, and programs to demonstrate support for historically Black colleges and universities in the United States.

#### SENATE RESOLUTION 230—DESIGNATING RICHARD A. BAKER AS HISTORIAN EMERITUS OF THE UNITED STATES SENATE

Mr. REID (for himself, Mr. MCCONNELL, Mr. AKAKA, Mr. ALEXANDER, Mr. BARRASSO, Mr. BAUCUS, Mr. BAYH, Mr. BEGICH, Mr. BENNET, Mr. BENNETT, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWN, Mr. BROWNBAC, Mr. BUNNING, Mr. BURR, Mr. BURRIS, Mr. BYRD, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUE, Mr. ISAKSON, Mr. JOHANNES, Mr. JOHNSON, Mr. KAUFMAN, Mr. KENNEDY, Mr. KERRY, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MARTINEZ, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 230

Whereas, Richard A. Baker will retire from the United States Senate after serving with distinction as the Senate's first historian from 1975 to 2009, and as acting curator from 1969 to 1970;

Whereas, Richard A. Baker has dedicated his Senate service to preserving, protecting, and promoting the history of the Senate and its members;

Whereas, Richard A. Baker has produced or directed production of numerous books, articles, and pamphlets detailing the rich institutional history of the Senate;

Whereas, Richard A. Baker has worked with senators and Senate committees to archive their records and to make them available for scholarly research in a timely manner;

Whereas, Richard A. Baker has assisted in the Senate's commemoration of events of historical significance and in the development of exhibitions and educational programs on the history of the Senate and the U.S. Capitol;

Whereas, Richard A. Baker has upheld the high standards and traditions of the Senate with abiding devotion, and has performed his Senate duties in an impartial and professional manner;

Whereas Richard A. Baker has earned the respect, affection, and esteem of the United States Senate: Now, therefore, be it

*Resolved*, That, effective September 1, 2009, as a token of the appreciation of the Senate for his long and faithful service, Richard A. Baker is hereby designated as Historian Emeritus of the United States Senate.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1865. Mr. CORKER submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

SA 1866. Mr. CORKER submitted an amendment intended to be proposed by him to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1867. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra.

SA 1868. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1869. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1870. Mr. MARTINEZ (for himself and Mr. NELSON, of Florida) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1871. Mr. MARTINEZ (for himself and Mr. NELSON, of Florida) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1872. Mr. MARTINEZ (for himself and Mr. NELSON, of Florida) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1873. Mrs. HUTCHISON submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1874. Mr. NELSON, of Nebraska, proposed an amendment to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra.

SA 1875. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 685, to require new vessels for carrying oil fuel to have double hulls, and for other purposes; which was ordered to lie on the table.

SA 1876. Mr. BINGAMAN (for himself and Mr. UDALL, of New Mexico) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table.

SA 1877. Mr. WEBB (for himself and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1878. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3183, *supra*.

SA 1879. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, *supra*.

SA 1880. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3183, *supra*; which was ordered to lie on the table.

SA 1881. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3183, *supra*; which was ordered to lie on the table.

SA 1882. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, *supra*; which was ordered to lie on the table.

SA 1883. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3183, *supra*; which was ordered to lie on the table.

SA 1884. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, *supra*.

SA 1885. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, *supra*; which was ordered to lie on the table.

SA 1886. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, *supra*; which was ordered to lie on the table.

SA 1887. Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, *supra*; which was ordered to lie on the table.

SA 1888. Ms. LANDRIEU (for herself and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, *supra*.

SA 1889. Mr. SPECTER (for himself and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, *supra*; which was ordered to lie on the table.

SA 1890. Mr. SPECTER (for himself and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, *supra*; which was ordered to lie on the table.

SA 1891. Mr. KAUFMAN (for himself and Mr. CARPER) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, *supra*.

SA 1892. Mr. KYL (for himself and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, *supra*.

SA 1893. Mr. MARTINEZ (for himself and Mr. NELSON, of Florida) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, *supra*.

SA 1894. Mr. REID submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, *supra*; which was ordered to lie on the table.

SA 1895. Mr. DORGAN (for himself and Mr. BENNETT) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, *supra*.

SA 1896. Mrs. BOXER submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill

H.R. 3183, *supra*; which was ordered to lie on the table.

SA 1897. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, *supra*; which was ordered to lie on the table.

SA 1898. Mr. NELSON, of Florida (for himself and Mr. MARTINEZ) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, *supra*; which was ordered to lie on the table.

SA 1899. Mr. NELSON, of Florida (for himself and Mr. MARTINEZ) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, *supra*; which was ordered to lie on the table.

SA 1900. Mr. MENENDEZ (for himself and Mr. HATCH) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, *supra*; which was ordered to lie on the table.

SA 1901. Mr. NELSON, of Florida (for himself, Mr. REID, Mr. MARTINEZ, Mr. AKAKA, and Mr. ENSIGN) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, *supra*; which was ordered to lie on the table.

SA 1902. Mr. NELSON, of Florida (for himself, Mr. REID, Mr. MARTINEZ, Mr. AKAKA, and Mr. ENSIGN) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, *supra*; which was ordered to lie on the table.

SA 1903. Mr. SANDERS (for himself, Mrs. SHAHEEN, and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, *supra*.

SA 1904. Mr. BOND submitted an amendment intended to be proposed by him to the bill H.R. 3357, to restore sums to the Highway Trust Fund, and for other purposes; which was ordered to lie on the table.

SA 1905. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill H.R. 3357, *supra*; which was ordered to lie on the table.

SA 1906. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 3357, *supra*; which was ordered to lie on the table.

SA 1907. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 3357, *supra*; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 1865.** Mr. CORKER submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes; as follows:

At the appropriate place, insert the following:

#### SEC. . AUTHORITY OF THE SECRETARY OF THE TREASURY TO DELEGATE TARP ASSET MANAGEMENT; CREATION OF MANAGEMENT AUTHORITY FOR AUTOMOBILE MANUFACTURERS ASSISTED UNDER TARP.

(a) AUTHORITY TO DESIGNATE MANAGEMENT.—Section 106(b) of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5216(b)) is amended by inserting before the period at the end the following: “, and the Secretary may delegate such management

authority to a private entity, as the Secretary determines appropriate, with respect to any entity assisted under this Act”.

(b) FEDERAL ASSISTANCE LIMITED.—Notwithstanding any provision of the Emergency Economic Stabilization Act of 2008, or any other provision of law, no funds may be expended under the Emergency Economic Stabilization Act of 2008 (Public Law 110-343) or to carry out the Advanced Technology Vehicles Manufacturing Incentive Program established under section 136 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013) on or after the date of enactment of this Act, until the Secretary of the Treasury transfers all voting, nonvoting, and common equity in any designated automobile manufacturer to a limited liability company established by the Secretary for such purpose, to be held and managed in trust on behalf of the United States taxpayers.

#### (c) APPOINTMENT OF TRUSTEES.—

(1) IN GENERAL.—The President shall appoint 3 independent trustees to manage the equity held in the trust, separate and apart from the United States Government.

(2) CRITERIA.—Trustees appointed under this subsection

(A) may not be elected or appointed Government officials;

(B) shall serve at the pleasure of the President, and may be removed for just cause in violation of their fiduciary responsibilities only; and (C) shall serve without compensation for their services under this section.

(d) DUTIES OF TRUST.—Pursuant to protecting the interests and investment of the United States taxpayer, the trust established under this section shall, with the purpose of maximizing the profitability of the designated automobile manufacturers

(1) exercise the voting rights of the shares of the taxpayer on all core governance issues;

(2) select the representation on the boards of directors of any designated automobile manufacturer; and

(3) have a fiduciary duty to the American taxpayer for the maximization of the return on the investment of the taxpayer made under the Emergency Economic Stabilization Act of 2008, in the same manner and to the same extent that any director of an issuer of securities has with respect to its shareholders under the securities laws and all applications of State law.

(e) LIQUIDATION.—The trustees shall liquidate the trust established under this section, including the assets held by such trust, not later than December 24, 2011.

(f) DEFINITIONS.—As used in this section—

(1) the term “designated automobile manufacturer” means an entity organized under the laws of a State, the primary business of which is the manufacture of automobiles, and any affiliate thereof, if such automobile manufacturer—

(A) has received funds under the Emergency Economic Stabilization Act of 2008 (Public Law 110-343), or funds were obligated under that Act, before the date of enactment of this Act; and

(B) has filed for bankruptcy protection under chapter 11 of title 11, United States Code, during the 90-day period preceding the date of enactment of this Act;

(2) the term “Secretary” means the Secretary of the Treasury or the designee of the Secretary; and (3) the terms “director”, “issuer”, “securities”, and “securities laws” have the same meanings as in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c).

**SA 1866.** Mr. CORKER submitted an amendment intended to be proposed by